



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,200	12/05/2001	Kazuki Sakata	Q66887	2084

7590

10/24/2003

SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER
----------

ALLEN, STEPHONE B

ART UNIT	PAPER NUMBER
----------	--------------

2878

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

File Copy

**Office Action Summary**

Application No.

10/002,200

Applicant(s)

SAKATA, KAZUKI

Examiner

Stephone B. Allen

Art Unit

2878

AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Rejections - 35 USC § 112***

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "the hood" in line 1. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,109,932 to Schneider.

With respect to claim 1, Schneider discloses a sensor in a car window comprising a lens (the eye of the driver has a lens) that is provided on the inner side of a sloping windowpane to condense light coming from an object (signal from a traffic light) located outside the window pane; a sensor (the retina of the driver's eye) that detects the object

Art Unit: 2878

to be detected by means of the light that has passed through the lens; and a transparent member 10 that is provided between the windowpane and the lens to refract the light from the object that has been passed through the windowpane.

With respect to claim 3, Schneider discloses that the transparent member is disposed in parallel to the windowpane (Fig. 1).

With respect to claim 9, Schneider discloses that the transparent member is a transparent body 13.

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,286,846 to Bollenbacher.

With respect to claim 1, Bollenbacher discloses a sensor in a car window comprising a lens (the eye of the viewer 16 has a lens) that is provided on the inner side of a sloping windowpane 18 to condense light coming from an object (signal from a traffic light 14) located outside windowpane 18; a sensor (the retina of the driver's eye) that detects the object to be detected by means of the light that has passed through the lens; and a transparent member 22 that is provided between windowpane 18 and the lens to refract the light from the object that has been passed through the windowpane.

With respect to claim 3, Bollenbacher discloses that the transparent member is disposed in parallel to the windowpane (Fig. 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider or Bollenbacher in view of U.S. Patent No. 1,808,208 to Davis.

Neither Schneider nor Bollenbacher disclose that the transparent member is attached to the windowpane by a light transmitting adhesive. David discloses a transparent member attached to a windowpane via a light transmitting adhesive. It would have been obvious to one of ordinary skill in the art to mount the transparent member of either of Schneider or Bollenbacher with a light transmitting adhesive as shown in David if a more secure and fixed mount were desired.

Claims 1-4, and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Schneider or Bollenbacher.

With respect to claim 1, 2, 4 and 10 AAPA (Fig. 7) discloses a sensor in a car window 2 comprising a lens 1 that is provided on the inner side of a sloping windowpane 3 to condense light coming from an object located outside windowpane 3; a sensor (camera main body) that detects the object to be detected by means of the light that has passed through the lens; wherein the area between the windowpane and the lens is covered by a light shielding member (hood 9) for blocking unwanted light.

AAPA fails to disclose the inclusion of a transparent member that is provided between windowpane and the lens to refract the light from the object that has been passed through the windowpane. Both Schneider and Bollenbacher a transparent member that is provided between windowpane and the lens to refract the light from the object that has been passed through the windowpane. It would have been obvious for one of ordinary skill in the art to include such a feature in the AAPA to enhance the accuracy in the receipt of the incoming light.

With respect to claim 3, the modified AAPA discloses that the transparent member is disposed in parallel to the windowpane.

With respect to claim 9, the modified AAPA discloses that the transparent member a transparent body.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view Schneider or Bollenbacher of as applied to claims 1-4 and 9-10 above, and further in view of David.

The modified AAPA fails to disclose that the transparent member is attached to the windowpane by a light transmitting adhesive. David discloses a transparent member attached to a windowpane via a light transmitting adhesive. It would have been obvious to one of ordinary skill in the art to mount the transparent member of the modified AAPA with a light transmitting adhesive as shown in David if a more secure and fixed mount were desired.

***Allowable Subject Matter***

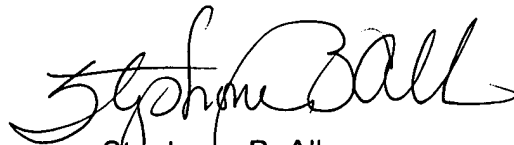
Claims 6-7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephone B. Allen whose telephone number is (703) 308-4828. The examiner can normally be reached on Mon-Thurs from 0900-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (703) 308-4852. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Stephone B. Allen  
Primary Examiner  
Art Unit 2878

sba